THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.19789 OF 2005

Date: 06-10-2005

Between:

K.Malyadri and others …Petitioners

And

The Government of A.P. and others …Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.19789 OF 2005

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ)

Heard learned counsel for the parties.

This writ petition has been filed mainly with the grievance that the elections to the Municipality of Kandukur in Prakasam district were not being held, whereas elections of the other Municipalities in the State were held.

In the counter-affidavit filed by the respondents, the main contention that is urged is that Kandukur Municipality is a very large area comprising of nearly 71.86 sq.kms and many of the villagers have represented that the village should be deleted from the Municipality. The Municipality of Kandukur comprises of Kandukur town and the

surrounding nine villages. It is submitted that 80% of the tax collected by the Municipality is from Kandukur and the average collection of tax from the villages is less than 2%. The villagers come to the Municipality office from a distance of about 6 to 7.5 kms, therefore, there is a proposal for deletion of certain areas from the Municipality and after those proposals are being considered, elections would be held.

Learned counsel appearing for the petitioners submits that there is no power with the Government to delete any areas from the Municipality.

We do not want to comment on any deletion or addition to the area of Kandukur Municipality at this stage because that would become premature as the Government has not taken any decision and has only issued notices. In this view of the matter, we dispose of this writ petition directing the respondents to complete the process and hold elections to the Municipality of Kandukur within a period of five months. No order as to costs.

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(Bilal Nazki, ACJ)

6th October, 2005

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(R.Subhash Reddy,J)

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